REMARKS/ARGUMENTS

This Amendment and the following remarks are intended to fully respond to the Office Action dated April 1, 2004. In that Office Action, claims 1-20 were examined, and all claims were rejected. Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

Claims 1-20 are in the application. No claims have been amended, no new claims have been added, and no claims have been canceled. Therefore, claims 1-20 remain present for examination.

Claim Rejections - 35 USC § 102

Claims 1-20 have been rejected under 35 USC § 102(e) as being anticipated by Rock et al. (USPN 6,039,047). The Applicant respectfully traverses the rejection since Rock et al. (hereinafter "Rock") does not anticipate claims 1-20. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."). As will be discussed in detail below, Rock does not expressly or inherently describe each and every element set forth in claims 1-20.

Rock is directed to "control[ling] the appearance of a control region displayed along with a medical image on a medical device." (Col. 1, lines 22-24) Under Rock, "when the user positions a pointer over a control region, the appearance of the control region ensures readability by a user. When the user positions the pointer away from the control region, the appearance of the control region changes to a less distracting form." (Col. 1, lines 24-29) As illustrated in Figure 3 and described in Col. 3, lines 2-51 as well as Figure 5 described in Col. 3, line 52 through Col. 4, line 3, Rock changes the appearance of a control region of the display based solely on the location of the pointer. Rock is controlled by an "appearance-control application." Control regions in Rock are either focused (and thus made to ensure readability) or not focused (and thus made to be less distracting).

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The pending claims relate to allowing computer users and manufacturers to easily alter the appearance of the controls and graphical components. Rock does not teach such functionality, and is thus more relevant to the prior art of the present invention than to the present invention itself.

Claim 1 relates to "a method for displaying a focus state of a user interface element in a graphical user interface of a computing system", and specifically includes "if the control state is the active state, detecting if the user interface element is in a focus state", "if the user interface element is in the active state and in the focus state, building a merged state indicating the user interface element is in the active state and in the focus state", and "rendering based on the merged state a display of the user interface element in the active state with a focus state indicator." Rock does not teach these elements, as it does not teach both an operative and a focus state. Rock uses only a single, binary input state (focused, or not focused), whereas this claim incorporates not only focus state, but also the additional level of operative state (e.g., active, hot, normal, or disabled). Since Rock does not disclose, either expressly or inherently, the additional operative level of state differentiation that is present in this claim, it and its dependent claims should be allowed.

Claim 7 relates to "a computer program product readable by a computing system and encoding a computer program of instructions for executing a computer process for displaying a themed focus state of a control element in a graphical user interface of a computing system", and specifically includes "if the control element is in the focus state, building a combined state indicating the control state and focus state of the control element" and "rendering the control element based on the combined state so that the control element is displayed with a themed focus state." Claim 7 and its dependent claims should be allowed for at least the same reason as claim 1, namely that it does not teach both an operative and a focus state. In addition, these claims include a theme element, which Rock lacks. More specifically, the function that the claimed invention uses to determine control appearance includes the aforementioned focus and operative states, but also an operative state theme, and a focus state theme. Thus, in addition to focus state and operative state, control appearance is also based on the currently selected operative and

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focus state themes. Users can change these themes, and thus control appearances, irrespective of and transparent to the current application.

Claim 11 relates to "a method for changing visual styles of a focus state indicator in a control element in a graphical operating system running on a computing system", and specifically includes "receiving an operative state of the control element", "drawing the control element using an operative state theme when the control element is not in the focus state", "creating a combined state for the control element when the control element is in the focus state, the combined state being a single merged state representing the operative state and the focus state", and "drawing the control element in the combined state using the operative state theme and a focus state theme, whereby the visual style of the focus state indicator in the control element is changed by the focus state theme." Again, Rock teaches neither the additional level of operative input state, nor the use of theme data, and thus lacks the aforementioned elements. For this reason, claim 11 and its dependent claims should be allowed.

Claim 17 relates to "a system for themeing a focus state indicator separate from an operative theme for a control element in a graphical operating system", and specifically includes "an operative state module determining an operative state of the control element", and "a build combined state module in response to the focus state indicating the focus condition merging the operative state and the focus state into a combined state indicating the control element may be rendered based on both an operative state theme and a focus state theme." Again, Rock teaches neither the additional level of operative input state, nor the use of theme data, and thus lacks the aforementioned elements. For this reason, claim 17 and its dependent claims should be allowed.

Claim 20 relates to "a user interface with selectable focus indicators for control elements in a graphical user interface for a computing system", one which specifically "receives an operative state theme for rendering a display of an operative state for a control element", and "displays the control element in a combined operative-focus state, the display of the control element in the combined state being based on the operative state theme and the focus state theme whereby control elements in the user interface have selectable focus indicators." Again, Rock teaches neither the additional level of operative input state, nor the use of theme data, and thus lacks the aforementioned elements. For this reason, Claim 20 should be allowed.

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Conclusion

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments it is believed that the application is now in condition for allowance. Applicants request the application be allowed and pass to issuance as soon as possible. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned attorney to resolve those issues.

Respectfully submitted,

Dated: 5/27/04

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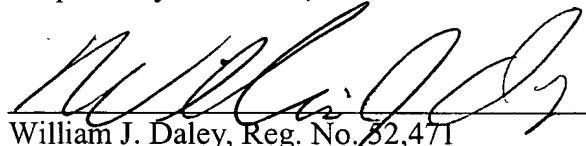
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